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NEWS RELEASE

FOR IMMEDIATE RELEASE: SEPTEMBER 19, 2006

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APPELLATE COURT'S TENTATIVE RULING STANDS: TAXPAYERS SAVE \$150 MILLION IN DE LA FUENTE CASE

San Diego, CA: Today the taxpayers of San Diego can celebrate a final ruling that puts to rest the majority of the \$94.5 million verdict against the City in a lawsuit filed by Roque de la Fuente, *Border Business Park vs. City of San Diego*. With the inclusion of court costs, interest, and fees, taxpayers have saved over \$150 million with this verdict handed down by the Fourth Circuit Court of Appeals in Riverside, CA.

“The City of San Diego has no money for Roque de la Fuente,” said City Attorney Michael Aguirre. “The excellent legal work of Kristine Wilkes at Latham & Watkins and Executive Assistant Attorney Don McGrath, have resulted in a victory for the citizens of San Diego. This is a great day.”

This ruling eliminates the majority of the multi-million dollar jury verdict of 2001 against the City for allegedly breaching development agreements with Border Business Park and for taking property without compensation:

A new trial will be held on the alleged breach of developer agreement claim (\$29.2 million) against the City, which may also be ruled in favor of the City of San Diego.

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Attached is a copy of the ruling in pdf format.